

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LORRAINE WELLS, et al.,  
Plaintiffs,

V.

THE REGENTS OF THE UNIVERSITY  
OF CALIFORNIA, et al.,  
Defendants.

Case No. 15-cv-01700-TEH

## **ORDER RE: BRIEFING SCHEDULE**

10 Defendants in this case filed a motion to dismiss Plaintiffs' complaint on April 22,  
11 2015. (Docket No. 5). The motion set an incorrect briefing schedule, with Plaintiffs'  
12 response due on May 13, 2015, and Defendants' reply due on May 18, 2015. The Court's  
13 Clerk immediately issued a Clerk's Notice setting the correct response and reply deadlines.  
14 (Docket No. 7). As explained in the Clerk's Notice, Civil Local Rule 7-3 provides that the  
15 response deadline was May 6, 2015, and the reply deadline was May 13, 2015. No filings  
16 were made by these dates. Instead, the Parties submitted a stipulation on May 13, 2015,  
17 requesting that the hearing be continued until June 15, 2015. (Docket No. 8). The Court  
18 granted this request. (Docket No. 9). However, the Court's Order on the stipulation did  
19 not change the briefing schedule. As a result, Plaintiffs' response is now thirteen days late,  
20 and Defendants' reply is six days late.

21 It appears that the Parties are under the impression that the briefing schedule is  
22 determined by the hearing date, rather than the motion's filing date. This is incorrect. As  
23 provided in Civil Local Rule 7-3, the opposition is due "not more than 14 days after the  
24 motion was filed." Civil L.R. 7-3(a). The reply is then due "not more than 7 days after the  
25 opposition was due." Civil L.R. 7-3(c). This is the rule that will be strictly applied to all  
26 future motions absent an approved revision to the briefing schedule.

27 As all Parties have now missed their filing deadlines, the Court must set a new  
28 briefing schedule for this motion. Plaintiffs' opposition shall be filed on or before **May**

1 **22, 2015.** Defendants' reply shall be filed on or before **May 29, 2015.** The Parties' failure  
2 to adhere to these deadlines, in light of their failure to adhere to the deadlines provided in  
3 the Local Rules and set by the Clerk's Notice a month ago, will be met with consequences  
4 as determined by the Court.

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6 **IT IS SO ORDERED.**

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8 Dated: 05/19/5

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THELTON E. HENDERSON  
United States District Judge

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